IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 254 of 2006 (M/B)

Vinod S/o Sri Jaipal,
R/o Barahmpuri, P.S. Kotwali,
Roorkee,
At present R/o Bahadarpur Jat,
P.S. Pathri, District Haridwar. …… Petitioner

Versus

1. State of Uttaranchal,
   through Secretary, Home,
   Dehradun.
2. District Magistrate,
   Haridwar.
3. Senior Superintendent of Police,
   Haridwar.
4. Additional District Magistrate,
   Haridwar. ……. Respondents

Mr. Sanjeev Singh, Advocate for the petitioner.
Mr. D.K. Sharma, Government Advocate for the respondents.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Sanjeev Singh, Advocate for the petitioner.

Mr. D.K. Sharma, Government Advocate for the respondents.

They are heard.

2. The petitioner has filed this writ petition for the following reliefs:

> "i) Issue a writ, order or direction in the nature of certiorari to quash the order dated 15.2.2006 passed by respondent No. 4 (Annexure No. 3).
>
> ii) Issue a writ, order or direction in the nature of mandamus commanding the respondents not to restrained the petitioner for entering in the boundary of District Haridwar.
>
> iii) Issue any other appropriate writ, order or direction, which this Hon'ble Court deems fit & proper under the circumstances of the case.
>
> iv) Award cost of the Petition."

3. The petitioner's main grievance appears to be against the order (Annexure No. 3), whereby the Additional District Magistrate has only directed to take consequential steps on account of the dismissal of the petitioner's appeal filed before Commissioner, Garhwal Division against the original order of externment dated 27.11.2004.

4. In our opinion, the writ petition filed by the petitioner in the present from, is not maintainable.

5. We, therefore, dismiss the writ petition leaving it open to the petitioner to challenge his further externment, if any, by the authorities by showing that he has already suffered the externment for the period contemplated in the order dated 27.11.2004.

6. With the above observation, the writ petition is dismissed.

7. Consequently, the interim order dated 10.03.2006 stands vacated automatically.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C.J.)**
15.05.2006 **15.05.2006**

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